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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO.       | CONFIRMATION NO.       |
|--|-------------|------------------------|---------------------------|------------------------|
| 10/672,319   | 09/26/2003  | Doree Duncan Seligmann | 630-038US                 | 8403                   |
| 47912 7590 12/27/2007<br>DEMONT & BREYER, LLC<br>100 COMMONS WAY, STE 250<br>HOLMDEL, NJ 07733 |             |                        |                           |                        |
|  |             |                        | EXAMINER<br>WEST, LEWIS G |                        |
|  |             |                        | ART UNIT<br>2618          | PAPER NUMBER           |
|  |             |                        | MAIL DATE<br>12/27/2007   | DELIVERY MODE<br>PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

|                              |                               |   |  |
|------------------------------|-------------------------------|---|--|
| <b>Office Action Summary</b> | Application No.<br>10/672,319 | Applicant(s)<br>SELIGMANN, DOREE DUNCAN |  |
|                              | Examiner<br>Lewis G. West     | Art Unit<br>2618                        |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>2</u> pages. | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6-10, 12-17 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Danneels (US 5,533,112) in view of Christofferson (US 7,006,616)

Regarding claim 1, Daneels discloses a method comprising: receiving a first series of frames that represents a first audio signal from a first source; receiving a second series of frames that represents a second audio signal from a second source; forming a third series of frames that represents a composite signal comprising at least one of said first audio signal and said second audio signal, wherein said composite signal is based on said first source relative to said second source based on a generalized volume function; and transmitting said third series of frames [Column 3 line 8- col. 5 line 14], but does not expressly disclose that the composite signal function is based on relative position. Christofferson discloses a conferencing system which uses relative location of terminals as a function for determining volume. [Col. 12 lines14-61] Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to adjust volume in a conferencing system based on relative location in order to better simulate the volume of speakers in a natural meeting environment

Regarding claim 2, the combination of Danneels and Christofferson discloses the method of claim 1 further comprising: receiving a fourth series of frames that represents a third audio

signal from a third source, wherein said fourth series of frames identifies said second source; and forming a fifth series of frames that represents a composite signal comprising at least one of said first audio signal, said second audio signal, and said third audio signal, wherein said composite signal is based on the location of said first source relative to the location of said second source.

[Danneels Column 3 line 8- col. 5 line 14]

Regarding claim 3, the combination of Danneels and Christofferson discloses the method of claim 2 wherein said fourth series of frames is based on the voice activity of the user of said second source. [Danneels Col. 5 lines 8-47]

Regarding claim 4, the combination of Danneels and Christofferson discloses the method of claim 2 wherein said fourth series of frames is based on the user of said second source joining a conference call. [Danneels Col. 5 lines 8-47]

Regarding claim 6, the combination of Danneels and Christofferson discloses the method of claim 1 wherein the individual levels of said first audio signal and said second audio signal as represented in said third series of frames are adjustable remotely. [Danneels Col. 5 lines 8-47]

Regarding claim 7, Daneels discloses an apparatus comprising: a network interface for: (1) receiving a first series of frames that represents a first audio signal from a first source; (2) receiving a second series of frames that represents a second audio signal from a second source; and (3) transmitting a third series of frames; and a processor for forming said third series of frames that represents a composite signal comprising at least one of said first audio signal and said second audio signal, but does not expressly disclose that the composite signal function is based on relative position. Christofferson discloses a conferencing system which uses relative

location of terminals as a function for determining volume. [Col. 12 lines 14-61] Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to adjust volume in a conferencing system based on relative location in order to better simulate the volume of speakers in a natural meeting environment

Regarding claim 8, the combination of Danneels and Christofferson discloses the apparatus of claim 7 wherein: said network interface is also for receiving a fourth series of frames that represents a third audio signal wherein said fourth series of frames identifies said second source; and said processor is also for forming a fifth series of frames that represents a composite signal comprising at least one of said first audio signal, said second audio signal, and said third audio signal, wherein said composite signal is based on the location of said first source relative to the location of said second source. [Danneels Column 3 line 8- col. 5 line 14]

Regarding claim 9, the combination of Danneels and Christofferson discloses the apparatus of claim 8 wherein said fourth series of frames is based on the voice activity of the user of said second source. [Danneels Col. 5 lines 8-47]

Regarding claim 10, the combination of Danneels and Christofferson discloses the apparatus of claim 8 wherein said fourth series of frames is based on the user of said second source joining a conference call. [Danneels Col. 5 lines 8-47]

Regarding claim 12, the combination of Danneels and Christofferson discloses the apparatus of claim 7 wherein the individual levels of said first audio signal and said second audio

signal as represented in said third series of frames are adjustable remotely. [Danneels Col. 5 lines 8-47]

Regarding claim 13, the combination of Danneels and Christofferson discloses the apparatus of claim 7 further comprising an access point for interconnecting said first source with said network interface. [Danneels Col. 5 lines 8-47]

Regarding claim 14, Daneels discloses an apparatus comprising: a mixer for: (1) receiving a first series of frames that represents a first audio signal from a first terminal; (2) receiving a second series of frames that represents a second audio signal from a second terminal; (3) forming a third series of frames that represents a composite signal comprising at least one of said first audio signal and said second audio signal; and (4) transmitting said third series of frames; said first terminal for: (1) transmitting said first series of frames; and (2) receiving said third series of frames; and said second terminal for transmitting said second series of frames. but does not expressly disclose that the composite signal function is based on relative position. Christofferson discloses a conferencing system which uses relative location of terminals as a function for determining volume. [Col. 12 lines 14-61] Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to adjust volume in a conferencing system based on relative location in order to better simulate the volume of speakers in a natural meeting environment

Regarding claim 15, the combination of Danneels and Christofferson discloses the apparatus of claim 14 wherein said mixer is also for: (5) receiving a fourth series of frames that represents a third audio signal; and (6) forming a fifth series of frames that represents a

composite signal comprising at least one of said first audio signal, said second audio signal, and said third audio signal, wherein said composite signal is based on the location of said first terminal relative to the location of said second terminal and wherein said fourth series of frames identifies said the user of second terminal. [Danneels Column 3 line 8- col. 5 line 14]

Regarding claim 16, the combination of Danneels and Christofferson discloses the apparatus of claim 15 wherein said fourth series of frames is based on the voice activity of the user of said second terminal. [Danneels Col. 5 lines 8-47]

Regarding claim 17, the combination of Danneels and Christofferson discloses the apparatus of claim 15 wherein said fourth series of frames is based on the user of said second terminal joining a conference call. [Danneels Col. 5 lines 8-47]

Regarding claim 19, the combination of Danneels and Christofferson discloses the apparatus of claim 14 wherein the individual levels of said first audio signal and said second audio signal as represented in said third series of frames are adjustable remotely. [Danneels Col. 5 lines 8-47]

Regarding claim 20, the combination of Danneels and Christofferson discloses the apparatus of claim 14 further comprising a controller for providing information about conference call participants and about the participant who is speaking. [Danneels Col. 5 lines 8-47]

Claims 5, 11 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daneels (US 5,533,112) in view of Christofferson (US 7,006,616) further in view of Holt (US 2003/0044654)

Regarding claim 5, the combination of Danneels and Christofferson discloses the method of claim 1 wherein said first source and said second source are headsets, but does not disclose Bluetooth headsets. Holt discloses the use of wireless Bluetooth headsets for teleconferencing. [0007, 0013] Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use Bluetooth headsets, as is replaces wires and therefore adds convenience and Bluetooth devices may be used readily with any Bluetooth system.

Regarding claim 11, the combination of Danneels and Christofferson discloses the apparatus of claim 7 wherein said first source and said second source are headsets, but does not disclose Bluetooth headsets. Holt discloses the use of wireless Bluetooth headsets for teleconferencing. [0007, 0013] Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use Bluetooth headsets, as is replaces wires and therefore adds convenience and Bluetooth devices may be used readily with any Bluetooth system.

Regarding claim 18, the combination of Danneels and Christofferson discloses the apparatus of claim 14 wherein said first source and said second source are headsets, but does not disclose Bluetooth headsets. Holt discloses the use of wireless Bluetooth headsets for teleconferencing. [0007, 0013] Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use Bluetooth headsets, as is replaces wires and therefore adds convenience and Bluetooth devices may be used readily with any Bluetooth system.

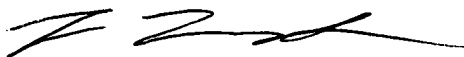


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis G. West whose telephone number is 571-272-7859. The examiner can normally be reached on Monday-Friday 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Lewis G. West  
Primary Examiner  
Art Unit 2618